

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
GREENVILLE DIVISION**

DEMETRIUS BARBER

PLAINTIFF

v.

No. 4:21CV4-NBB-JMV

JAMES BURKE, ET AL.

DEFENDANTS

**ORDER DENYING PLAINTIFF'S MOTION [14]
FOR A *SPEARS* HEARING**

This matter comes before the court on the plaintiff's motion [14] for a hearing as set forth in *Spears v. McCotter*, 766 F.2d 179 (5th Cir. 1985). The court had previously set a *Spears* hearing, but later canceled the hearing. A *Spears* hearing is for the court's benefit; it allows the court to ask the *pro se* plaintiff questions to clarify his claims. In this case, the plaintiff's claims were clear, and the court deemed a *Spears* hearing to be unnecessary. As the court has already decided not to conduct a *Spears* hearing, the instant motion [14] is **DENIED**.

SO ORDERED, this, the 28th day of July, 2021.

/s/ Jane M. Virden
UNITED STATES MAGISTRATE JUDGE